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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,763	12/12/2003	Kevin Neil Kim	MFCP.108795	8725

45809 7590 12/29/2005  
SHOOK, HARDY & BACON L.L.P.  
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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT PAPER NUMBER

2179

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/733,763

Applicant(s)

KIRN ET AL.

Examiner

X L. Bautista

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to claims 1-39 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1-10, 13-26 and 28-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Herf et al* (US 2005/0052685) and Kurashima (US 6,029,191).**

#### Claims 1, 13, 18 and 28:

Herf discloses a method for sharing images over a network. A user having control selects an image for sharing and designates an image recipient (abstract; p. 1, pg. 0006-0008, 0011-0012; p. 2, pg. 0016, 0018, 0025). Herf teaches that the sharing application automatically transfers the images, which are presented to the receiving user as specified by the sender (p. 3, pg. 0029). The sender user can specify the recipients who can access the images (p. 3, pg. 0035, 0039, 0042). The

sending file sharing application automatically encrypts the images and associated chat text before transmitting them to the recipient to enhance security (p. 6, pg. 0063-0066, 0069). Herf teaches a messaging client and a dialog interface (p. 4, pg. 0039). Herf teaches that the sender and the receiver can share control of presentation of the shared media objects (p. 4, pg. 0043). Herf does not teach that multiple routines are executed in parallel. However, Kurashima discloses an application sharing system having multiple interconnected terminals capable of sharing media (abstract; col. 2, lines 7-54; col. 6, lines 60-67; col. 7, lines 1-27). Kurashima teaches that the plurality of terminals can communicate with one another (col. 8, lines 1-6, 34-39; col. 13, lines 55-67) and start and finish a plurality of application programs simultaneously (col. 15, lines 21-42; col. 16, lines 16-37). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to include Kurashima teachings in Herf's sharing system because the system enables multiple users to not only share media but also to participate in joint work so that the system is capable of running and executing various different programs or applications in parallel.

Claims 2, 19, and 33:

See claim 1. Herf teaches a network-enabled chat client (figs. 1 and 2D; p. 7, pg. 0071).

Claims 3, 20, and 34:

Herf teaches a mutually viewed message window presenting typed messages (fig. 2D)

Claims 4, 5, 17, 21, 22, 35 and 36:

Herf teaches shared media objects may be digital pictures (p. 1, pg. 0008), thumbnail images (p. 1, pg. 0012), photographs, images, data, etc. (p. 2, pg. 0025; p. 4, pg. 0037).

Claims 6, 23, and 37:

Herf teaches a user interface that enables a user to maintain control of the media viewer (p. 1, pg. 0006-0008, 0011-0012; p. 2, pg. 0016, 0018, 0025)

Claims 7, 24 and 32:

See claim 1. Herf teaches an interface that enables a sender user to control selection and transmission of media objects for mutual viewing by others (abstract; p. 1, pg. 0006-0008, 0011-0012; p. 2, pg. 0016, 0018, 0025; p. 3, pg. 0029, 0035, 0039, 0042; p. 4, pg. 0039; p. 6, pg. 0063-0066, 0069).

Claims 8, 25, and 38:

See claim 1. Herf teaches a media viewer that is integrated with the messaging client (figs. 1 and 2D; p. 2, pg. 0016; p. 4, pg. 0043-0044).

Claims 9, 26, and 39:

Herf teaches that the sending terminal and the receiving terminal may be a

(media viewer integrated with the messaging client) desktop computer or mobile devices such as PDAs and cellular phones (the media viewer is separate from the messaging client), (p. 4, pp. 0043-0044).

Claim 10:

Herf teaches media objects such as video and audio, (p. 6, pg. 0066; p. 8, pg. 0085).

Claims 14 and 29:

Herf teaches that users may independently select a shared media object to view in the media viewer (p. 4, pg. 0039).

Claims 15 and 30:

Herf teaches that users may select one or more users to share the media objects and prevent others from having access to it (p. 4, pg. 0035, 0042; p. 6, pg. 0064, 0069).

Claims 16 and 31:

Herf teaches that media objects can be loaded, downloaded, etc. (p. 4, pg. 0044).

4. **Claims 11, 12, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Herf/Kurashima* and *Helmick et al* (US 6,674,992 B2).**

Claims 11, 12, and 27:

Herf does not teach that an annotation object can be presented via the media viewer. However, Helmick discloses an on-line educational system including document sharing and electronic journal features. Helmick teaches that users can electronically share documents with other users and can also include a message along with the shared documents. Users can also enter information into an electronic journal and a notebook (abstract; col. 17, lines 35-44). Therefore, it would have been obvious to a person having ordinary skill in the art at the time of invention to include Helmick's teaching of an annotation object in Herf/Kurashima's image sharing interface because it enables users to enter notes related to the shared image or document to share points of view or just to communicate relevant information.

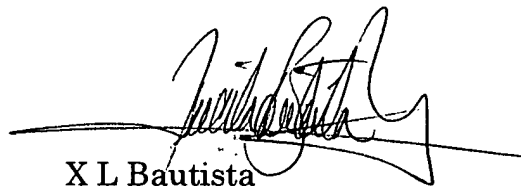
***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L. Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



X L Bautista  
Primary Examiner  
Art Unit 2179

xlb  
December 21, 2005